IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1704 (S/S) of 2005

Bhuwan Chandra Pathak,
son of Sri Gopal Dutt Pathak,
R/o Village – Himmatpur Malla Uchapul,
Haldwani,
District – Nainital. ……Petitioner

Versus

1. State of Uttaranchal through Secretary, Home Ministry.
2. Jail Superintendent, Sitarganj, District – Udham Singh Nagar.
3. Inspector General of Jail, Dehradun, Uttaranchal.

……..Respondents

Hon'ble P.C. Verma, J.

Heard Sri L.K. Verma, learned counsel for the petitioner and learned standing counsel for the respondents.

Learned counsel for both the parties are agreed to decide the writ petition at its admission stage itself.

Learned counsel for the petitioner has submitted that petitioner is working as Bandi Rakshak (Gurad) in Sub Jail, Haldwani. A charge of supplying charas to the prisoners was levelled against the petitioner. Consequently, the respondent no. 2 stopped petitioner's two increments and entered a bad remark in his service book. Aggrieved with the order passed by respondent no. 2, petitioner filed an appeal before respondent no. 3 in

the month of June, 2004, which is still pending for disposal.

During the course of arguments learned counsel for the petitioner has confined his prayer to dispose of the writ petition with the direction to the respondent no. 3 to decide the appeal of the petitioner within a particular period.

Accordingly, I direct respondent no. 3 i.e. Inspector General, Jail, Dehradun, Uttaranchal to decide the petitioner's appeal (contained in Annexure No. 2 to the writ petition) within a period of three weeks from the date of production of certified copy of this order.

With the aforesaid observation, the writ petition is finally disposed of. No order as to costs.

(P.C. Verma, J)

November 19, 2005
SKSharma